

Acquisition of right-of-way
(HB 1967, by Emmett)

DIGEST: The bill would have permitted the State Highway and Public Transportation Commission to designate any county road as a farm-to-market road for the purpose of acquiring right-of-way. Under current law, the commission may only make such designations for purposes of construction, reconstruction, and maintenance.

GOVERNOR'S
REASONS
FOR VETO:

The bill would have channeled state funds into right-of-way acquisition at the expense of construction and maintenance. When state revenue is limited, it is unwise to expand the purposes for which state dollars may be used.

SPONSOR'S
VIEW:

Rep. Emmett said he didn't understand the Governor's reasons for the veto. HB 1967 was a permissive bill, and wouldn't have required the state to act. However, it would have given the state some flexibility.

Emmett said both HB 1967 and SB 369 (also vetoed) had been supported by George Mitchell, the developer responsible for the Woodlands community outside Houston. Noting that the only line-item appropriation vetoed was a planning study for a Woodlands branch campus of the University of Houston, Rep. Emmett said, "There may be more here than meets the eye." The sponsor concluded, "Those two bills weren't even controversial enough to where I'm mad."

Definition of a motor vehicle
(HB 1980, by Hackney)

DIGEST: The bill would have expanded the definition of a motor vehicle under the Texas Motor Vehicle Code to include "every two or more wheeled fully self propelled titled vehicle which has as its primary purpose the transport of a person or persons, or property, and is not manufactured for use on public streets, roads or highways"--i.e., so-called all-terrain vehicles." Under the current definition, motor vehicle means "every fully self-propelled vehicle which has as its primary purpose the transport of a person or persons, or property, on a public highway, and having two or more wheels."

GOVERNOR'S
REASONS
FOR VETO:

"The definition of 'motor vehicle' fatally conflicts with other definitions found in SB 1141 passed by this Legislature."

SPONSOR'S
VIEW:

Rep. Hackney's office said he did not object to the veto because the change in the definition of a motor vehicle that would have been made by HB 1980 is incorporated in SB 1141, by Sen. Brown. The purpose of HB 1980 was to put all-terrain vehicle dealers under the regulatory jurisdiction of the Motor Vehicle Commission, as a consumer-protection measure. This purpose is served by SB 1141.

NOTES:

SB 1141, the car "lemon" law relating to auto dealers and warranties, expands the definition of a motor vehicle to include, in addition to all-terrain vehicles, engines, transmissions, and rear axles for vehicles weighing more than 16,000 pounds, whether or not attached to a vehicle chassis.

The HSG analysis of SB 1141 appeared in the May 16 Daily Floor Report.

Legal excellence fund for Attorney General
(HB 2181, by Colbert)

DIGEST:

The bill would have created a "legal excellence fund" for the office of the Attorney General in the state Treasury, for deposit of private gifts, grants, and donations to supplement appropriations. Any supplemental amount from the legal excellence fund used for compensation of the Attorney General or his assistants would have to be appropriated by the Legislature.

GOVERNOR'S
REASON
FOR VETO:

The appropriations process is the appropriate method for funding the Attorney General's office.